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and the officers of the army and the navy have nothing in their minds—and that is natural—but the two establishments. The army sees nothing but the army, and the army's idea of an immense revenue pouring in for the uses of the government is that it makes a great reservoir for army appropriations. With some exceptions, the naval officers have the same idea. Anybody who has listened to the debate for the last day or two in the other branch of Congress will see how this exploiting of enormous appropriations for the navy is brought out. We must have a navy; and we have got to-day, practically, in actual force and strength and usefulness the second navy in the world; and yet naval officers and naval boards tell us that we need to double it.

MR. WARREN: Does the Senator believe we ought to drop from the position of second naval power? I am asking for information, because, of course, I am not interested in naval matters directly, and I should like the Senator's opinion about where we ought to stand as a nation as to our naval power.

MR. HALE: That depends something upon what other nations do. I do not object if we can keep the navy where it is and not increase it. I am not opposed to keeping it up to where it is now, although it is useless largely, and always will be. The best of it is to-day engaged in a cruise around the world, which will be very expensive and which will help to wear out the navy, and we shall be called upon to appropriate for repairs and improvements resulting from the cruise, all showing that there is no legitimate use even for the navy of the extent that we have now; but I am not for cutting it down.

Asked by Mr. Bacon if he had not said six or eight years ago that the retention of the Philippine Islands would require an increase of the navy to an extent of at least fifty per cent. greater than otherwise would have been required, Mr. Hale replied:

MR. HALE: I do not pretend to be much of a prophet, but my forecast then was wise. We have since that day more than doubled the navy, and largely on account of our acquisition—such as it is—of those foreign outside insular possessions. But I am not going into that.

I have, Mr. President, as I have said, accomplished my purpose in calling the attention of the Senate and the country to this condition and to these great increases in appropriations for the military establishment.

A general discussion as to the duty of the Senate in the matter followed. It was shown that outside the Committee on Appropriations the Senators as a rule knew nothing of the various details of the great appropriation bills which come before them. Under the present system of procedure their action is practically limited to the question as to whether or not a certain amendment to an appropriation bill is proper or improper. It was therefore suggested by Senator Bacon, who has a deep interest in the problem, that hereafter the Appropriations Committee take the Senate more into its confidence when these bills are pending, in order that the Senators may fully realize where there may be

extravagance and where it may be curbed. The remarks showed no inclination on anybody's part to go the full length of the program outlined by the *Washington Post*, nor did the appropriations, as made, find any strong defender. On the other hand, it was evident that Mr. Hale's speech had aroused his colleagues from their indifference and justifies the hope that hereafter the Senate may do something to check the extravagance to which their attention has been so forcibly called.

New Books.

INTERNATIONAL LAW AS INTERPRETED DURING THE RUSSO-JAPANESE WAR. By F. E. Smith and N. W. Sibley. Boston: The Boston Book Company. 494 pages.

This book not only covers a wide range of the international law of war and neutrality, but considerable of that of peace. To any one who is looking for an historical introduction to the various questions that arose in the Russo-Japanese conflict, going back to the Middle Ages and Lateran Councils, to Grotius and to Vattel, including in the later periods the Napoleonic, Crimean and American Civil Wars, with frequent citations from Stowell, Scott and Hall, this work with its compendious detail will be helpful. If, however, he has read the entertaining report of Takahashi on the Chino-Japanese War and the brilliant lectures of Lawrence on "War and Neutrality in the Far East," both of which are brief and to the point, examples in their way of what the treatment of a special topic should be, he will wish that the collaborators of this volume had confined themselves more exclusively to their theme and left the introductory matter to private research.

The questions that are given particularly full treatment, and which best illustrate the methods of the authors, are those relating to the right of visitation and search, the destruction of neutral vessels, absolute and conditional contraband, blockade and the North Sea incident. There are twelve useful appendices. Special cases are taken up in connection with the violation of neutrality, wrong classification of contraband and the illegal seizure of vessels. The French and English texts of the report of the North Sea Commission are given, with a statement of the Russian and English contentions in parallel columns, a chronological account of the controversy as it developed from day to day, and a list of Russian acts of interference with neutral shipping, which is taken from the *London Times*. The authors pay high tribute to the strict manner in which Japan observed the rules of international law.

INTERNATIONAL LAW. PART II: WAR. By John Westlake, LL.D., Whewell Professor of International Law in the University of Cambridge, England. Cambridge: The University Press, 1907. 334 pages. Price, 9 shillings. American agents: G. P. Putnam's Sons, New York City.

This book is a sequel to Part I, entitled "Peace." In a preliminary chapter Professor Westlake defines pacific

blockade, reprisals, embargo, armed interventions and other measures which are short of actual war. Then entering into his subject proper, he takes up the legal relations of nations as affected by war after it has broken out, the laws of war in general, naval war, neutrality, the duties of neutral states and contraband of war. He deals with all these as general principles, and considers the action of the Hague Conferences separately.

The part of his work which concerns the conferences is perhaps the most interesting to students of peace and arbitration, who naturally want to know something of the recent provisions for the amelioration of war. He has three chapters: "The Laws of War on Land, being the Hague Regulations, with a Commentary," "The Hague Regulations Considered Generally," and "The Hague Conference of 1907." The preventive measures of 1907, such as obligatory arbitration, the permanent Court of Arbitration, the Drago Doctrine, and the limitation of armaments, coming under the laws of peace, are excluded from this volume. The new conventions that relate to the declaration of war, the Red Cross, submarine cables, the rights and duties of neutrals, the International Prize Court, the immunity of mail ships, the crews of captured merchantmen, bombardments and mines, are treated under special headings, with a few words on the discussions or votes in committee. The author also has excellent short articles on the different propositions made in regard to the immunity of private property at sea and contraband of war, in which he gives an indication of the direction which is being taken by public sentiment. The latter subject, though confined now for the most part to experts, is especially timely, for, though the Conference made but a beginning with it, it is likely to come up in international law conferences, in this country and in the Old World, until it is put on a satisfactory basis, the growing tendency being to eliminate contraband altogether.

Besides bringing his subject up to date, the author has succeeded in handling his topics in a way that will interest a large body of students who, both in and outside of the universities, are beginning to study international law. His literary form, while not a model for the essayist, which he does not pretend to be, is suited to his purpose. He makes no finely-spun distinctions which exhaust the patience of the reader in getting to the point, nor does he carry his analysis so far as to forget that a book should have a body as well as a frame. Professor Westlake has produced a solid, condensed commentary. There is not a pedantic line in his book. The quotations from Grotius and Bynkershoek are cut down, as in these days of more important authorities they should be. The decisions of modern jurists are also given in brief, but there are plenty of references to actual cases which the student may look up for himself. There is just enough historical matter to give the principles color and make them intelligible. The author's point of view is never speculative, but now and then in a discriminating phrase or a suggestive sentence he explains a difficulty caused by an omission or by an obscure passage in the text which he has under consideration. He is always scientific. He occasionally gives opinions, but is not opinionated. Trying to write for the world, he keeps his British prejudices well in the background, but, in common with the majority of British leaders, he clings to the old "war right" of the capture of private property at sea. Ex-

ternally his book is equally attractive. It is not a great leather-bound tome, but a work of such moderate size that one could easily take it with him on a journey, while it is bound in such good but simple taste that one would want to keep it on his study table among his favorite volumes for frequent use.

THE TERROR OF THE MACDURGHOTTS. By C. E. Playne. London: T. Fisher Unwin, Adelphi Terrace.

The scene of this story is located in the Northern Isles of Great Britain, the childhood home of a young woman returned after her mother's death from civilized London with a mind ready to contrast the conditions under which she has lived with those she is now to take up. It is the account of an unhappy experience with a fortunate outcome; an undercurrent of romance runs through the book ending in a wedding. The object of the author is to teach the principles of peace by the use of local characters and their conflicts. He portrays effectively the life of the natives: on the one hand, the class to which the heroine belongs, the knightly families who live in castles, but are obliged to spend their substance in paying guards to keep off invaders; then the common folk, with all their hatreds, feuds, inflammatory speeches, hooting onslaughts and murders.

It is a relief after reading all this to come to an era of sensible conciliation and goodwill. The story of the "Christ of the Andes" is cleverly used as a means of persuasion. The moral, the hope of the writer, is well summed up in a toast drunk by one of the characters in the closing chapter, in which he has a vision of universal peace. The speaker says: "The spirit of the present, which reigns at last in the Isles of the North as well as in the rest of Europe, is good. Small, personal strife is over; men live busy, useful lives—they no longer injure the bodies and properties of their fellows in small ways. No; when they fight, it is on a grand and 'glorious' scale. No longer is every man's hand against every man; it is every nation's cannon against every nation's cannon. But the present carries hidden in itself the seed of the future, just as the past had in it the seed of the present."

"In the future it will be every man's hand *with* every man, and every nation agreeing quickly with every other nation, and reason ruling over all."

SOME NEGLECTED ASPECTS OF WAR. By Capt. A. T. Mahan. Boston: Little, Brown & Co. 193 pages. Price, \$1.50 net.

It is well known that Captain Mahan believes that war is a necessity, and that it will continue to be so under the existing conditions of human nature and society. Physical force he conceives to be, to the nation, a sacred trust, which cannot be neglected except at the peril of the national life and character. Of this view he is perhaps the ablest defender in our country, and he makes his position all the more attractive by the excellent literary style in which he writes. One wonders how such a painstaking writer can ignore, as completely as he does, the rapid moral transformation of individuals and society and the consequent steady elimination of the use of brute force which marks the progress and constitutes the very essence of civilization. In this new book Captain Mahan brings